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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,155	08/04/2000	CHRISTINE PECINA	10.0780	2098

22474 7590 12/28/2005

DOUGHERTY CLEMENTS
1901 ROXBOROUGH ROAD
SUITE 300
CHARLOTTE, NC 28211

EXAMINER	
NEURAUTER, GEORGE C	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/633,155	PECINA ET AL.	
	Examiner	Art Unit	
	George C. Neurauter, Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14,18 and 19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14,18 and 19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-14 and 18-19 are currently presented and have been examined.

It is noted that a new Examiner has been assigned to this case. Any future correspondence regarding this case should be directed to the Examiner listed below.

Response to Arguments

Applicant's arguments filed 3 October 2005 have been fully considered but they are not persuasive.

The Applicant argues that the previous Examiner's position wherein it would have been obvious to incorporate two processors to implement instructions and that the present invention is a pair of processors that switch, on the fly, from a primary processor component to a secondary processor component. The Applicant also submits that the databases used within the claimed invention switch over to use the second configuration database as the primary configuration database. The Examiner is not persuaded by these remarks and concurs with the view of the previous Examiner. As evidenced in the prior art cited in this Office Action, the notion of "failover" in the database and fault tolerance arts is well known and used and one of ordinary skill in the art would have been found it obvious to have a failover system to switch to a second database or any computer

system which is known to contain in general as the primary configuration database or computer system. Further, the use of dual processors within a single computer system is also well known and used in the art and to integrate two databases and two processors within a computer system that accomplishes the same functionality as has been shown in Klein would have been obvious to one of ordinary skill in the art. See *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965). Therefore, the claims are not in condition for allowance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (USPN 6,157,932) in view of Chamberlain et al. (USPN 6,735,766).

Regarding claim 1, Klein et al. (USPN 6,157,932) teach a system for operating a network device including an embedded first configuration database and an embedded second configuration database with means for:

a. Providing for a first configuration database (figure 1, element 125; column 3, lines 66-67).

b. Operating the network device with the first configuration database as a primary configuration database (figure 1, element 125; column 3, lines 66-67).

c. Providing for a second configuration database storing backup data corresponding to the data contained in the first configuration database (figure 1, element 130; column 4, lines 3-4).

d. Operating the network device with the second configuration database as a backup configuration database (figure 1, element 130; column 4, lines 3-4).

e. Replicating modifications made to the first configuration database to the second configuration database (column 4, lines 17-22; column 5, lines 3-8)

f. Detecting a configuration database upgrade operation (figure 2a; column 5, lines 24-26).

g. Stopping replication of data from the first configuration database to the second configuration database (column 5, lines 9-13).

h. Upgrading the second configuration database while the first configuration database continues to provide configuration data to the network device (column 5, lines 24-27, 35-39).

i. Switching over to use the second configuration database as the primary configuration database (column 6, lines 19-22).

Klein further teaches a first processor component and means for maintaining the first configuration database through the first processor component and operating the first processor component as a primary processor component (figure 1, element 125; column 3, lines 66-67).

Klein further teaches a second processor component and means for maintaining the second configuration database through the second processor component and operating the second processor component as a backup processor component (figure 1, element 125; column 3, lines 66-67).

Klein further teaches means for switching over to use the second processor component as the primary processor (column 6, lines 19-22).

Although the system disclosed by Klein et al. (USPN 6,157,932) shows substantial features of the claimed invention, it fails to disclose means wherein the configuration database contains data for configuring the network device and it fails to disclose specifically a first printed circuit board and a second printed circuit board.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) as evidenced by Chamberlain et al. (USPN 6,735,766).

In an analogous art, Chamberlain et al. (USPN 6,735,766) discloses a system for database management and upgrading wherein the configuration database contains data for configuring the network device (column 3, line 66 - column 4, line 3).

Given the teaching of Chamberlain et al. (USPN 6,735,766), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Klein et al. (USPN 6,157,932) by implementing the database upgrade on a database that houses configuration information for the network device. This benefits the system because configuration information is especially valuable to a working network and its integrity must be assured. Please note that any type of database would benefit from the upgrading method of Klein et al. (USPN 6,157,932).

A person having ordinary skill in the art would have also readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) by specifically pointing out the use of a printed circuit board in the construction of the primary and secondary machines. This allows the system to function and is a very common method of implementing computer instructions.

Regarding claim 2, Klein et al. (USPN 6,157,932) teach all the limitations as applied to claim 1. They further teach means for:

a. Detecting commitment of configuration database upgrade (column 6, lines 33-37).

b. Operating the network device with the first configuration database as a backup database (column 6, lines 51-54, 60-64).

c. Replicating modifications made to the second configuration database to the first configuration database (column 6, lines 51-54, 60-64).

Regarding claim 3, Klein et al. (USPN 6,157,932) teach all the limitations as applied to claim 1. They further teach means for:

a. Detecting errors with the configuration database upgrade (column 6, lines 33-37).

b. Switching over to use the first configuration database as the primary configuration database (column 7, lines 25-35).

Regarding claim 4, Klein et al. (USPN 6,157,932) teach all the limitations as applied to claim 1. They further teach means for receiving a configuration control file from a network management server, and executing the configuration control file (column 8, lines 48-52).

Regarding claim 18, Klein et al. (USPN 6,157,932) teach all the limitations as applied to claim 2. They further teach means for saving the upgraded second configuration database to persistent memory (column 4, lines 10-22).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (USPN 6,157,932) in view of Chamberlain et al. (USPN 6,735,766) and Nilsson (USPN 6,081,811).

Regarding claim 19, Klein et al. (USPN 6,157,932) teach a system for managing a network with means for:

a. Operating the network device with the first configuration database as a primary configuration database (figure 1, element 125; column 3, lines 66-67).

b. Operating the network device with the second configuration database as a backup configuration database; the second configuration database containing backup data corresponding to the data contained in the first configuration database (figure 1, element 130; column 4, lines 3-4).

c. Replicating modifications made to the first configuration database to the second configuration database (column 4, lines 17-22; column 5, lines 3-8)

d. Replicating the changes to the first configuration database to the second configuration database (column 4, lines 17-22; column 5, lines 3-8).

e. Stopping replication of data from the first configuration database to the second configuration database (column 5, lines 9-13).

f. Upgrading the second configuration database while the first configuration database continues to provide configuration data to applications executing on the network device (column 5, lines 24-27, 35-39).

g. Switching over to use the second configuration database as the primary configuration database (column 6, lines 19-22).

Klein further teaches a first processor component and means for maintaining the first configuration database through the first processor component and operating the first processor component as a primary processor component (figure 1, element 125; column 3, lines 66-67).

Klein further teaches a second processor component and means for maintaining the second configuration database through the second processor component and operating the second processor component as a backup processor component (figure 1, element 125; column 3, lines 66-67).

Klein further teaches means for switching over to use the second processor component as the primary processor (column 6, lines 19-22).

Although the system disclosed by Klein et al. (USPN 6,157,932) shows substantial features of the claimed invention, it fails to disclose:

a. That the configuration database contains data for configuring the network device

b. Sending SQL commands from network management server to the network device.

c. Executing the SQL commands to write a software load record indicating a configuration database upgrade in a table within the first configuration database.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932), as evidenced by Chamberlain et al. (USPN 6,735,766) and Nilsson (USPN 6,081,811).

In an analogous art, Chamberlain et al. (USPN 6,735,766) discloses a system for database management and upgrading wherein the configuration database contains data for configuring the network device (column 3, line 66 – column 4, line 3).

Given the teaching of Chamberlain et al. (USPN 6,735,766), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Klein et al. (USPN 6,157,932) by implementing the database upgrade on a database that houses configuration information for the network device. This benefits the system because configuration information is especially valuable to a working network and its integrity must be assured. Please note that any type of database would benefit from the upgrading method of Klein et al. (USPN 6,157,932).

Further, in an analogous art, Nilsson (USPN 6,081,811) discloses a system for database upgrades with means for:

a. Sending SQL commands from network management server to the network device (column 8, lines 11-24).

b. Executing the SQL commands to write a software load record indicating a configuration database upgrade in a table within the first configuration database (column 8, lines 11-24). Given the teaching of Nilsson (USPN 6,081,811), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) by employing the use of SQL to provide the database updates. This benefits the system because SQL is standard for

database usage and allows the system to support several different database vendors.

Although the system disclosed by Klein et al. (USPN 6,157,932) shows substantial features of the claimed invention, it fails to disclose means wherein the configuration database contains data for configuring the network device and it fails to disclose specifically a first printed circuit board and a second printed circuit board.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) as evidenced by Chamberlain et at. (USPN 6,735,766).

In an analogous art, Chamberlain et al. (USPN 6,735,766) discloses a system for database management and upgrading wherein the configuration database contains data for configuring the network device (column 3, line 66 - column 4, line 3).

Given the teaching of Chamberlain et al. (USPN 6,735,766), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Klein et al. (USPN 6,157,932) by implementing the database upgrade on a database that houses configuration information for the network device. This benefits the system because configuration information is especially valuable to a

working network and its integrity must be assured. Please note that any type of database would benefit from the upgrading method of Klein et al. (USPN 6,157,932).

A person having ordinary skill in the art would have also readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) by specifically pointing out the use of a printed circuit board in the construction of the primary and secondary machines. This allows the system to function and is a very common method of implementing computer instructions.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) as applied to claim 4 above, and further in view of Nilsson (USPN 6,081,811).

Regarding claim 5, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735;766) (as applied to claim 4) shows substantial features of the claimed invention, it fails to disclose means for:

a. Receiving a data definition language (DDL) file including structured query language (SQL) commands.

b. Wherein executing the configuration control file comprises executing the SQL commands to construct an upgraded database schema in the second configuration database.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766), as evidenced by Nilsson (USPN 6,081,811).

In an analogous art, Nilsson (USPN 6,081,811) discloses a system for database conversion with means for:

a. Receiving a data definition language (DDL) file including structured query language (SQL) commands (column 8, lines 11-24).

b. Wherein executing the configuration control file comprises executing the SQL commands to construct an upgraded database schema in the second configuration database (column 8, lines 11-24).

Given the teaching of Nilsson (USPN 6,081,811), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) by employing the use of a DDL with SQL to provide the database updates. This benefits the system because SQL is standard for database usage and allows the system to support several different database vendors.

Claims 6, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (USPN 6,157,932) and

Chamberlain et al. (USPN 6,735,766) as applied to claim 1 above, and further in view of Waldin et al. (USPN 6,651,249).

Regarding claim 6, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et at. (USPN 6,735,766) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means for receiving an upgrade notification from a network management system server. Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766), as evidenced by Waldin et al. (USPN 6,651,249). In an analogous art, Waldin et al. (USPN 6,651,249) discloses a system for distributed software update with means for receiving an upgrade notification from a network management system server (column 3, lines 9-10; column 4, lines 3-4).

Given the teaching of Waldin et al. (USPN 6,651,249), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et at. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) by employing the use of a server to provide update notification. This benefits the system by allowing a server to provide updates and ensuring that the updated software is the single, most up to date version.

Regarding claim 13, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means for receiving upgraded applications from a network management server.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et at. (USPN 6,735,766), as evidenced by Waldin et at. (USPN 6,651,249).

In an analogous art, Waldin et al. (USPN 6,651,249) discloses a system for distributed software update .with means for receiving upgraded applications from a network management server (column 3, lines 9-10; column 4, lines 3-4).

Given the teaching of Waldin et al. (USPN 6,651,249), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et at. (USPN 6,157,932) and Chamberlain et at. (USPN 6,735,766) by employing the use of a server to provide upgraded applications. This benefits the system by allowing a server to provide upgraded applications and ensuring that the updated software is the single, most up to date version.

Regarding claim 14, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means for receiving new applications from a network management server.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766), as evidenced by Waldin et al. (USPN 6,651,249).

In an analogous art, Waldin et al. (USPN 6,651,249) discloses a system for distributed software update with means for receiving new applications from a network management server (column 3, lines 9-10; column 4, lines 3-4).

Given the teaching of Waldin et al. (USPN 6,651,249), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) by employing the use of a server to provide new applications. This benefits the system by allowing a server to provide new applications and ensuring that the new software is the single, most up to date version.

Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin et al. (USPN 6,651,249) as applied to claim 6 above, and further in view of Nilsson (USPN 6,081,811).

Regarding claim 7, although the system disclosed by Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin (as applied to claim 6) shows substantial features of the claimed invention, it fails to disclose means for receiving SQL commands from the network management server and executing the SQL commands.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin et at. (USPN 6,651,249), as evidenced by Nilsson (USPN 6,081,811).

In an analogous art, Nilsson (USPN 6,081,811) discloses a system for database conversion with means for receiving SQL commands from the network management server and executing the SQL commands (column 8, lines 11-24).

Given the teaching of Nilsson (USPN 6,081,811), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN

6,157,932), Chamberlain et at. (USPN 6,735,766) and Waldin et at. (USPN 6,651,249) by employing the use of SQL to provide the database updates. This benefits the system because SQL is standard for database usage and allows the system to support several different database vendors.

Regarding claim 8, Klein et al. (USPN 6,157,932) teaches the limitations as applied to claim 7. They further teach means for writing a software load record indicating a configuration database upgrade in. a table in the first configuration database (column 8, lines 48-52).

Regarding claim 9, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose specifically means wherein the table comprises a software management system table.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766), as evidenced by Waldin et al. (USPN 6,651,249).

In an analogous art, Waldin et al. (USPN 6,651,249) discloses a system for distributed software updates with means

wherein the table comprises a software management system table (column 3, lines 9-10; column 4, lines 3-4).

Given the teaching of Waldin et al. (USPN 6,651,249), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) by employing software management tables. This benefits the system by allowing an accurate record of upgrades and updates to be kept.

Regarding claim 10, although the system disclosed by Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin (as applied to claim 6) shows substantial features of the claimed invention, it fails to disclose means wherein the SQL commands are received within a DDL file.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin et al. (USPN 6,651,249), as evidenced by Nilsson (USPN 6,081,811).

In an analogous art, Nilsson (USPN 6,081,811) discloses a system for database conversion with means wherein the SQL commands are received within a DDL file (column 8, lines 11-24).

Given the teaching of Nilsson (USPN 6,081,811), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932), Chamberlain et al. (USPN 6,735,766) and Waldin et al. (USPN 6,651,249) by employing the use of a DDL with SQL to provide the database updates. This benefits the system because SQL is standard for database usage and allows the system to support several different database vendors.

Regarding claim 11, although the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose specifically means wherein the table comprises a software management system table.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766), as evidenced by Waldin et at. (USPN 6,651,249).

In an analogous art, Waldin et al. (USPN 6,651,249) discloses a system for distributed software updates with means wherein the table comprises a software management system table (column 3, lines 9-10; column 4, lines 3-4).

Given the teaching of Waldin et al. (USPN 6,651,249), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Klein et al. (USPN 6,157,932) and Chamberlain et al. (USPN 6,735,766) by employing software management tables. This benefits the system by allowing an accurate record of upgrades and updates to be kept in the database.

Regarding claim 12, Klein et al. (USPN 6,157,932) teaches all the limitations as applied to claim 11. They further teach means for causing the second configuration database to cease replicating data changes made to the first configuration database (column 5, lines 9-13).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571) 272-3918. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcn

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100